

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:18 CR 746
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
ANTHONY COOK,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Jonathan D. Greenberg, regarding the change of plea hearing of Anthony Cook, which was referred to the Magistrate Judge with the consent of the parties.

On January 28, 2021, the government filed a 4 count Second Superseding Indictment, charging Defendant Cook with Felon in Possession of Firearm and Ammunition, in violation of Title 18 U.S.C. § 922(g)(1) and 924(a)(2), Possession with Intent Distribute and Distribution of Heroin, Carfentanil, and Methamphetamine, in violation of Title 21 U.S.C. § 841(a)(1), (b)(1)(B), and (b)(1) (C). Defendant was arraigned on February 2, 2021, and entered a plea of not guilty to counts 1, 2, 3, and 4 of the Second Superseding Indictment, before Magistrate Judge David A. Ruiz. On March 10, 2022, Magistrate Judge Greenberg received Defendant Cook's plea of guilty to counts 1, 2, 3, and 4 of the Second Superseding Indictment, with a written plea agreement, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Cook is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Anthony Cook is adjudged guilty to counts 1, 2, 3 and 4 of the Second Superseding Indictment, in violation of Title 18 U.S.C. § 922(g)(1) and 924(a)(2) and 21 U.S.C. § 841(a)(1), (b)(1)(B), and (b)(1)(C). This matter was referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be held on June 30, 2022, at 2:30 p.m. in Courtroom 19A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

April 7, 2022